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Attorneys for Defendant
TREND MICRO INCORPORATED

Attorneys for Plaintiff
FORTINET, INC.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FORTINET, INC., a Delaware Corporation,

Plaintiff,

v.

TREND MICRO INCORPORATED, a
California Corporation,

Defendant.

Civil Case No.: C 10-0048 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

Each party shall bear its own attorneys' fees and costs.

1 DATED: December 29, 2011

WILSON SONSINI GOODRICH & ROSATI

3 By: /s/ Stefani E. Shanberg¹
4 Stefani E. Shanberg
5 Attorneys for Plaintiff
6 FORTINET, INC.

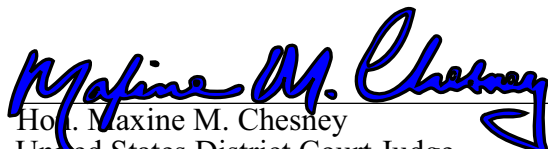
7 DATED: December 29, 2011

COVINGTON & BURLING LLP

8 By: /s/ Robert D. Fram
9 Robert D. Fram
10 Attorneys for Defendant
11 TREND MICRO INCORPORATED

12 **IT IS SO ORDERED.**

13 DATED: January 9, 2012

14 
15 Hon. Maxine M. Chesney
16 United States District Court Judge
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27 ¹ In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this
28 document has been obtained from the other signatory hereto.